

Drawings

The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the frame has eight side elements and eight connecting elements must be shown or the feature(s) canceled from claim 22. No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 18-33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Allen U.S. Patent 4,550,456 in view of Tinus U.S. 4,685,738 and Back U.S. Patent 3,021,159.

Allen disclosed a swing or cradle comprising a frame with four side elements (10, 12) and four connecting elements (14) (see Figs. 1 and 4); the frame is rectangular, can be suspended on four fastening devices (16, 18) on four connecting elements; the connecting elements (14) are bent tube sections with lower and upper half shelves. It is noted that Allen failed to teach the use of a plurality of interwoven band elements with fastening elements; and the connecting elements with an upper half shell and a lower half shell as set forth in the claimed invention. However, such interwoven bands with fastening means are very well known in the art, especially in outdoor chairs and seats. For example, Tinus disclosed in Fig. 1 a chair comprising a plurality of interwoven longitudinal and transverse bands (12, 14) with each bands having fastening means (28) in the form of loops for fastening the bands to a seat frame (12). Also, Back disclosed that it is old in the art to provide connecting elements as shown in Figs. 6, 16, 17, and 13 for connecting cylindrical side members (4) together and each connecting elements having an upper shell and a lower shell. Therefore, it would have been obvious to one of ordinary skill in the art to modify the fabric seat (4) of Allen with the

interwoven bands as taught by Tinus for the purpose of increasing the durability of the seat while maintaining its flexibility, and modifying the connecting elements of Allen with the upper and lower half shells as taught by Back to achieve predictable result of providing a quick assembling and disassembling of the frame.

Regarding various mechanical differences between the combination of Allen and Adams and claims 24, 25, 31, and 32, such differences are considered obvious mechanical expediencies and can be used interchangeably or substitute with each other.

Regarding claim 22, it would have been a matter of design choice to duplicate the frame of Allen modified by Tinus and Back as discussed above into a double seat to accommodate additional users. Such modification is merely a duplication of the same parts.

Response to Arguments

Applicant's arguments with respect to claims 18-33 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to KIEN T. NGUYEN whose telephone number is (571)272-4428. The examiner can normally be reached on 7:30 AM-5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Eugene Kim can be reached on (571) 272-4463. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Kien. T. Nguyen/

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Primary Examiner
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